

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED**
CENTRAL FAX CENTER

APPLICANT: Sandra M. Simms) DOCKET NO.: 3523/2/US
SERIAL NO.: 09/933,366) GROUP ART UNIT: 1614
FILED: August 20, 2001) EXAMINER: Cybille Delacroix-Muirheid
TITLE: SOLUTION COMPOSITION OF AN OXAZOLIDINONE ANTIBIOTIC
DRUG HAVING ENHANCED DRUG LOADING

MAR 01 2005

CERTIFICATE OF TRANSMISSION

I hereby certify that this document and accompanying documents referred to herein are being transmitted to the United States Postal Service, via facsimile, to (571) 273-0572 on March 1, 2005.


Connie L. Park

Commissioner for Patents
P.O. Box 1450
U.S. Patent and Trademark Office
Alexandria, VA 22313-1450

*Ok to
enter
CRM
8/4/05*

SECOND SUPPLEMENTAL RESPONSE AFTER FINAL ACTION

Dear Examiner Delacroix-Muirheid:

This supplemental response is in response to a telephone interview with Examiner Delacroix-Muirheid on February 28, 2005, in which the Examiner notified Attorney for Applicants, Karen King, of her identification of an obviousness-type double patenting issue between the claims of the present application and those of U.S. Patent Number 6,696,426. See the Interview Summary issued by the Examiner on March 1, 2003, a copy of which was faxed to the Applicant.

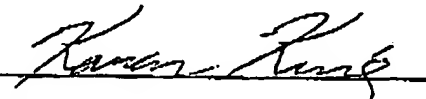
Transmitted herewith, please find a Terminal Disclaimer and fee filed to remove any obviousness-type double patenting issue between the claims of the present application and U.S. Patent Number 6,696,426.

PATENT 3523/2/US

Ser. No. 09/933,366

Page 2

Applicants respectfully submit that all the pending claims of the present patent application are in a condition for allowance. The Examiner is invited to contact the undersigned at the telephone number given below, should any additional questions or issues arise relating to this application.

Dated: 3/1/05

Karen B. King

Attorney for Applicant

Reg. No.: 41,898

Phone No.: (734) 622-4837